



U.S. House of Representatives Committee on the Judiciary

F. James Sensenbrenner, Jr., Chairman

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News Advisory

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Immigration Subcommittee Hearing Tuesday on Lack of Worksite Enforcement and Employer Sanctions for Hiring of Illegal Aliens

What: Oversight Hearing entitled, "Lack of Worksite Enforcement and Employer Sanctions"

Who: Subcommittee on Immigration, Border Security & Claims – Rep. John N. Hostettler (R-Ind.), Chairman

When: 2:00 p.m., Tuesday, June 21, 2005

Where: 2141 Rayburn Building

Under the Immigration Control and Reform Act of 1986 (IRCA), every employer in the U.S. is prohibited from knowingly hiring an illegal alien or an alien without work authorization. Employers must examine documents presented by an individual to prove an eligibility to work and attest that the documents appear to be genuine. Employers who knowingly hire illegal aliens are subject to fines and/or imprisonment. The Department of Homeland Security's Immigration and Customs Enforcement (ICE) is charged with enforcing these laws.

PROBLEMS...

- ✓ Worksite enforcement is virtually non-existent – with hours devoted to it approximately one-quarter of what they were in 1996. Worksite enforcement only amounts to less than 5% of all of ICE's investigation activities.
- ✓ In addition, the easy availability of counterfeit documents has made a mockery of IRCA. Fake documents are produced by the millions and can be obtained cheaply. Thus, the IRCA system both benefits unscrupulous employers who do not mind hiring illegal aliens but want to show that they have met legal requirements while harming employers – because of tough discrimination laws – who don't want to hire illegal aliens but have no choice but to accept documents they know have a good likelihood of being counterfeit.

THIS HEARING WILL...

- ⇒ Investigate why the law regarding hiring illegal aliens and employer sanctions is not being enforced. Who is responsible? Are tougher penalties necessary? Are more resources needed?

WITNESSES: Mr. Richard M. Stana, Director of Homeland Security and Justice Issues, U.S. Government Accountability Office; Mr. Terence P. Jeffrey, Editor, *Human Events*; Mr. Carl W. Hampe, Partner, Baker & McKenzie, LLP; Ms. Jennifer Gordon, Associate Professor of Law, Fordham Law School.

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